

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

ORDER

v.

06-CR-044-S-01

RYAN R. PAPENFUSS,

Defendant.

The government's motion for reduction of sentence pursuant to Rule 35(b), Federal Rules of Criminal Procedure, came on to be heard before the Court in the above entitled matter on April 12, 2007, the government having appeared by Erik C. Peterson, United States Attorney for the Western District of Wisconsin, by Paul W. Connell, Assistant United States Attorney; defendant having waived personal appearance, appeared by Anthony C. Delyea. Honorable John C. Shabaz, District Judge, presided.

The Court determines that defendant has provided substantial assistance as represented by the government. Accordingly, the government's motion for a reduction of sentence is granted and defendant's offense level reduced by one level to a total offense level of 20. Pairing a total offense level of 20 with a criminal history category III results in an advisory guideline imprisonment range of 41 to 51 months. A sentence between the middle and top of that advisory range is reasonable and necessary to achieve the purposes of sentencing, namely, to hold

defendant accountable for his serious criminal conduct and to protect the community.

ORDER

IT IS ORDERED that the judgment entered on April 27, 2006, is AMENDED to provide that defendant is committed to the custody of the Bureau of Prisons for a term of 48 months. In all other respects, the judgment remains as previously entered.

Entered this 12th day of April, 2007.

BY THE COURT:

S/

JOHN C. SHABAZ
District Judge